**UNITED NATIONS** **E**

**Economic and Social Council**

Distr.
GENERAL

E/CN.4/Sub.2/2001/4
16 May 2001

ENGLISH
Original: ENGLISH/SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-third session
Item 6 of the provisional agenda

# CONTEMPORARY FORMS OF SLAVERY

## Report of the Secretary-General on the implementation of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, submitted pursuant to Sub-Commission resolution 1998/19

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## Introduction

1. The Commission on Human Rights adopted the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography in its resolution 1992/74 and requested the Sub-Commission to submit to it every two years a progress report on the implementation of the Programme of Action by all States.

2. In its resolution 2000/19, the Sub-Commission requested the Secretary-General to invite all States to inform the Working group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, the Stockholm Declaration on Commercial Exploitation of Children and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and other related developments and report thereon to the Sub-Commission at its fifty-third session and to the Commission at its fifty-eighth session.

3. In order that the Working Group might examine this matter at its twenty-fourth session, the Secretariat, on 15 December 2000, sent notes verbales to Governments requesting the desired information. As of 7 May 2001, replies had been received from Guatemala, Japan and the Russian Federation.

## REPLIES RECEIVED FROM GOVERNMENTS

### Guatemala

[Original: Spanish]
[2 April 2001]

1. The State of Guatemala is aware that the commercial sexual exploitation of children and young people and the exploitation of their labour are social problems that inhibit children's and young people's full development and therefore constitute a gross violation of their human rights, particularly in the context of various patriarchal customs that persist even in a multilingual, multi-ethnic and multicultural society. The State has therefore taken administrative measures to prevent and eradicate these practices.

2. According to the latest (1994) census, children and adolescents under the age of 18 make up 50 per cent of the population, and steps to eradicate the problem have therefore been taken in the areas of education, health and labour.

3. The following are examples of the progress that has been made in providing comprehensive protection for children and young people in these areas in the last 10 years:

4. In terms of health, infant mortality rates have fallen by 38.4 per cent, from 73 per 1,000 live births to 45 per 1,000. Mortality among the under-5s has fallen from 110 per 1,000 live births to 59 per 1,000.

5. With regard to immunization against preventable diseases, coverage has increased from 66 per cent to 88 per cent for diphtheria-pertussis-tetanus (DPT) and from 62 per cent to 93 per cent for tuberculosis (BCG). The incidence of poliomyelitis has been minimized and in the last five years measles has been prevented.

6. According to Ministry of Education data, education progressed during the 1990s, with net enrolment rates in pre-primary education rising from 17.29 per cent in 1990 to 32.83 per cent in 1999 and in primary education from 69.24 per cent to 81.7 per cent over the same period.

7. Nevertheless, there are still obstacles to be overcome in order to achieve comprehensive protection for children and adolescents. Social action strategies and programmes have been included in the economic and social services administration plans for 2000-2004, in which the present Government has given priority to issues relating to children and adolescents.

#### I. MEASURES TAKEN TO IMPLEMENT THE PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN

8. A recent survey carried out by the Office of the Children's Ombudsman, established in 1992 in the Office of the Human Rights Procurator, shows that children who are subject to trafficking are typically children abandoned by their parents, children of single mothers with

insufficient financial means to maintain them and children who have been abducted for illegal adoption. The children are characteristically also aged 7 and upwards, and mostly of Honduran, Salvadoran and Guatemalan nationality and of low social status.

9. According to the Office of the Children's Ombudsman of the Office of the Human Rights Procurator, cases of child trafficking are by their very nature rarely reported. They are sometimes discovered in the course of searches carried out by the police or court authorities in night hostels or places where the victims are held.

10. In order to deal with this problem, a Metropolitan Procurator-General's Office for Children was established in the Public Prosecutor's Office and a Minors' and Disappeared Persons' Unit was established in the National Civil Police Criminal Investigation Service. These bodies are responsible for rescuing and protecting children who have been sold.

11. According to the December 2000 report of the United Nations Verification Mission in Guatemala (MINUGUA) on the situation of children and adolescents under the peace process in Guatemala, the Office of the Minors' Procurator of the Office of the Procurator-General is currently implementing a "rescue programme" to protect children and young people who are victims of ill-treatment or in risk situations. Rescues may be carried out on the basis of reports by the competent authorities or of anonymous complaints. A team is sent to rescue the child who is at risk or in danger, who is then placed at the court's disposal pending a resolution of the case.

12. The issue of the sale and trafficking of children prompted Guatemala to sign the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on 7 September 2000. The Protocol was referred for consultation to the bodies legally mandated to work on children's rights, with a view to its presentation to Congress for ratification.

## II. MEASURES TAKEN IN RELATION TO CHILD PROSTITUTION, CHILD PORNOGRAPHY AND THE STOCKHOLM DECLARATION ON COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN

### A. Measures against child prostitution and child pornography

13. The measures taken to prevent child and youth prostitution include provisions on the problem in the Penal Code, chapter V, which deals with the corruption of minors; according to article 188, "Anyone who in any way promotes, facilitates or encourages the prostitution or sexual corruption of a minor, whether or not the victim consents to participate in or watch sexual acts, shall be liable to two to six years' imprisonment".

14. Article 189 deals with aggravated corruption:

> "The penalty mentioned in the preceding article shall be increased by two thirds in any of the following circumstances: (1) if the victim is aged under 12; (2) if the act was carried out for financial gain or at the request of a third party; (3) if deception, violence or abuse of authority were used in committing the act; (4) if the corruption was a

result of perverse, premature or excessive sexual acts; (5) if the perpetrator is the victim's parent, sibling, teacher or other person with responsibility for education, or his guard or warden; (6) if the acts mentioned in the preceding article were carried out repeatedly".

15. Article 190 deals with incitement through promises or compact:

"Anyone who, by means of promises or compact, with or without the appearance of legitimacy, incites or causes the prostitution or sexual corruption of a minor, shall be liable to one to three years' imprisonment".

"Anyone who, for any reason or under any pretext, assists or supports the continuing prostitution or sexual corruption of a minor or the continuing presence of a minor on premises intended for such purposes, shall be liable to the same penalty".

16. Chapter VI of the Penal Code covers trafficking in women and the exploitation of prostitution.

17. Article 191 deals with sex trafficking:

"Anyone who, for financial gain or at the request of a third party, promotes, facilitates or encourages prostitution by persons of either sex, shall be liable to a fine of 500 to 2,000 quetzals".

"Anyone who carries out the activities referred to in the preceding paragraph for his own benefit shall be liable to a fine of 300 to 1,000 quetzals".

18. Article 192 deals with aggravated sex trafficking:

"The penalties mentioned in the preceding article shall be increased by one third in the following circumstances: (1) if the victim is a minor; (2) if the perpetrator is a relative of the victim, as defined by law, or the victim's teacher or other person with responsibility for his education, or his guard or warden; (3) if deception, violence or abuse of authority were used in committing the act".

19. Article 193 deals with the exploitation of prostitution:

"Anyone not covered by the preceding articles of this chapter but who lives wholly or partly at the expense of a person or persons who practise prostitution, or from the proceeds of prostitution, shall be liable to one to three years' imprisonment and a fine of 500 to 3,000 quetzals".

20. Article 194 deals with trafficking in human beings:

"Anyone who in any way promotes, facilitates or encourages the entry of women to, or their exit from, the country, for the purposes of prostitution shall be liable to one to three years' imprisonment and a fine of 500 to 3,000 quetzals".

"Anyone dealing with men in the same way as mentioned in the preceding paragraph shall be liable to the same penalty".

"The penalties shall be increased by two thirds in any of the circumstances referred to in article 189 of this Code".

21. Article 195 deals with obscene displays:

"Anyone who performs obscene acts in any public place or place that is open to the public or exposed to public view shall be liable to a fine of 300 to 5,000 quetzals".

22. Article 196 deals with obscene publications and performances:

"Anyone who publishes, produces or reproduces obscene books, writings, images or objects, or who exhibits, distributes or circulates the same, shall be liable to a fine of 300 to 5,000 quetzals".

23. Two aspects of Guatemalan society have limited the application of this criminal legislation in Guatemala: first, such activities are seen by Guatemalans as a normal part of male culture, which makes it difficult to eliminate such sexist patterns of behaviour; secondly, people are inhibited by society's indifference to the issues from exercising their right to complain about these activities to the competent bodies.

24. In an analysis of the problem of sexual exploitation, the Global Network to End Child Prostitution, Pornography and Trafficking (ECPAT-Guatemala), which is a member of the coordinating group of the Multisectoral Coordinating Committee on the Preparation of a National Plan for Preventing the Exploitation of Child Prostitution, concludes that "while the legislation penalizes those who incite or prostitute minors, it also covers child sex tourism and child pornography, although these terms are not currently mentioned".

25. The same analysis points out that "the penalties for the perpetrators of these offences are relatively light. While it is agreed that the severity of a punishment does not eradicate an offence, nevertheless, if one of the objectives of legislation is to prevent an offence being committed, a just punishment must be consistent with the seriousness of the offence".

26. One of the priorities of the National Plan is therefore to amend the criminal law so that it reflects Guatemala's social and economic situation.

### B. Measures taken in respect of the Stockholm Declaration

27. At the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in August 1996, Guatemala undertook to implement measures on prevention and intervention contained in the Agenda for Action against Commercial Sexual Exploitation of Children.

28. The Governments represented at the World Congress committed themselves to working with civil society to prepare national plans of action in implementation of the Agenda for Action.

29. In the first stage of preparation of the National Plan of Action, two international NGOs, Rädda Barnen of Sweden and Red Barnet of Denmark, provided technical support to the Office of the Human Rights Procurator in October 1996, for publicizing the Declaration and the outcome of the Congress throughout Guatemala.

30. In November 1996, the Office of the Children's Ombudsman of the Office of the Human Rights Procurator brought government and non-governmental organizations together in a first attempt to coordinate agencies and institutions in preparing the Plan.

31. Between 1997 and 1999, government bodies and NGOs working with promotion and protection of children's rights carried out research into the social problem of commercial sexual exploitation of children, with the aim of sensitizing and raising awareness among the Guatemalan public.

32. In the course of implementation of the commitment made at the World Congress against Commercial Sexual Exploitation of Children and in response to requests from a number of civil society organizations involved with child and youth issues, the Office of the Procurator-General contacted other institutions seeking a solution to the problem in Guatemala, with a view to helping to prepare the National Plan.

33. In January 2000, as part of the interagency and inter-institution coordination process, the Office of the Procurator-General brought together government and non-government agencies, religious institutions, universities and international agencies in order to agree a methodology for preparation of the National Plan. It was at that point that multisectoral work got under way to prepare the Plan, which was intended to be inclusive and the product of consensus.

34. The work of preparing the Plan was shared between two groups, the Coordinating Group and the Consultative Group: the Coordinating Group was to carry out the basic work of compiling, structuring and preparing the Plan; the Consultative Group's task was to support and advise the Coordinating Group.

35. At the time of writing, a nationwide analysis of the problem has been completed on the basis of regional and theme-based seminars and workshops involving the authorities responsible for protecting and promoting children's rights.

36. The final stage will be to use the input from the regional and thematic seminars to prepare a final draft of the National Plan for presentation to the highest authorities in the country and for adoption as national policy.

### C. Administrative measures to deal with sexual exploitation of minors

37. A number of administrative mechanisms are in place to deal with the problem of sexual exploitation of children and young people, including:

**Social Welfare Department**

38. A government department responsible for the care of children and young people, who are divided into three categories: (a) those needing care; (b) those with mental disabilities; and (c) those involved in criminal offences. There are currently two centres that focus on children's issues:

(i) The "Gorriones" re-education centre for girls, which cares for girls who have fallen victim to ill-treatment, have been abandoned or orphaned or have become street children or delinquents, by carrying out psychosocial studies and providing general education, job training and individual and group medical, psychological and social treatment, and by helping them to adapt to society;

(ii) The attorney unit centre, which carries out the procedures necessary to repatriate girls who are not of Guatemalan nationality.

**Ministry of Health and Social Welfare**

39. The government department responsible for public health policy; it includes a Prophylactic Unit, which deals with women aged over 18 and must refer girl victims of prostitution to a Juvenile Court for protection, in accordance with the Children and Adolescents Code, article 22.

**Office of the Minor's Procurator of the Office of the Procurator-General**

40. This Office has legal power to take action to rescue minors who are victims of prostitution and to take protective measures; it is also responsible for taking criminal proceedings against the perpetrator.

**Office of the Children's Ombudsman of the Office of the Human Rights Procurator**

41. This Office was established to give particular attention to children's problems and to ensure the promotion and defence of children's rights, in accordance with the provisions of the Convention on the Rights of the Child and the Constitution, by providing psychological counselling to children and adolescents who fall victim to this social evil.

**Non-governmental and religious organizations**

42. A number of non-governmental organizations are working to prevent and eradicate this problem by means of specific action to help girls who are victims of prostitution to recover physically, morally, emotionally and socially. They run sex education and reproductive health programmes and provide psychological support in cases of sexual abuse, as well as equality training.

43. In addition, there are two programmes designed to address the problem of girls in prostitution: "For Women Only", which is based in the capital and runs a programme for girls and young women who are or have been involved in prostitution; and the "Lourdes Hostel" teenage mother project, which aims to rehabilitate such mothers.

## III. ACTION TO IMPLEMENT THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

44. On 7 September 2000, as a matter of State policy and in order to address the problem of prostitution, the President of Guatemala, on behalf of the State, signed the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography; the Protocol has been referred to the appropriate bodies for consultation, with a view to ratification by Congress.

## IV. MEASURES TAKEN TO IMPLEMENT THE PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

45. According to the report for the 1990s to the fifth Ministerial Meeting on the Lima Accord, August 2000, prepared by the Department of Social Welfare with interagency support from the State, the total economically active population (EAP) of children aged 7 to 14 amounts to 151,494 (126,476 boys and 25,018 girls). The rural child EAP stands at 126,388 (109,351 boys and 17,037 girls). Allowing for under-reporting of informal labour, there could be an estimated 500,000 child workers in Guatemala.

46. Legislation protecting child and adolescent workers includes the Constitution, which sets forth minimum guarantees on remuneration for work (art. 103), and the Labour Code, title 4, chapter 2, "Special labour regimes". This legal framework, together with the Convention on the Rights of the Child and International Labour Organization (ILO) Convention No. 138, establish the minimum working age and exceptions.

47. A number of administrative and legislative measures have been taken to reinforce and develop international, constitutional and domestic legal standards.

48. At the eighty-seventh International Labour Conference, held in Geneva in June 1999, Guatemala signed ILO Convention No. 182, on the elimination of the worst forms of child labour, which establishes the activities that are considered the worst forms of child labour, including the sale and trafficking of children, forced labour, debt bondage and the procuring and offering of children for prostitution. With a view to adoption and subsequent ratification, the Convention was referred for consultation to the various State agencies responsible for protecting and promoting the rights of children and adolescents. The Convention is currently being considered for adoption by Congress.

49. In recent years, there has also been an increase in the number of NGOs in Guatemala working to promote the elimination of child labour and to defend and promote children's rights.

50. Another administrative measure taken to address the issue of child and adolescent labour was the establishment of the Juvenile Labour Protection Unit of the Ministry of Labour and Social Security, which is responsible for implementing the national policy on child and adolescent labour. This policy follows the guidelines in ILO Convention No. 138, which advocates the abolition of work for children aged under 12 and the total abolition of high-risk work.

51. Affirmative action in the area of labour was taken with the signing, in June 1996, of a memorandum of understanding between the Ministry of Labour and Social Security and ILO, committing Guatemala to adopting the strategies of the International Programme on the Elimination of Child Labour (IPEC).

52. In addition, the Ministry of Labour and Social Security has developed a National Plan for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers, in implementation of national and international labour standards for children and adolescents and for their full protection.

## Japan

[Original: English]
[3 May 2001]

### Japan's Action Plan against Commercial Sexual Exploitation of Children

#### A. Investigations into the situation of the commercial sexual exploitation of children and clarifying the cause

##### 1. The domestic situation and cause of the problem

1. Since the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children came into force on 1 November 1999 (passed into law on 18 May 1999), 60 per cent of the violations of the law uncovered by the law enforcement authorities have involved telephone clubs. Therefore, such clubs are the hotbeds of this kind of crime. About half of the child pornography cases uncovered under the law were committed on the Internet. Most of the Web sites on child pornography have remained closed since the enactment of the law. However, as some Web sites on child pornography have been opened secretly with tricky methods, the Government will continue to grasp the situation of the commercial sexual exploitation of children by analysing the specific cases of violations of the law that have been uncovered.

2. The Government has been fully informed of the number of cases where child guidance centres have provided counselling to victims of the commercial sexual exploitation of children since the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children came into force, through reports from such centres. There were 90 cases where child guidance centres provided counselling over the five-month period from

November 1999 to April 2000. The Government will continue its efforts to grasp the situation of such exploitation and to promote protection of the victims, depending on the damage they suffered.

### 2. The overseas situation and cause of the problem

3. It is difficult to correctly grasp the situation of Japanese people's involvement in child prostitution abroad. However, the Government will try to collect information on the problem by cooperating closely with relevant organizations, such as the International Criminal Police Organization and non-governmental organizations.

4. The Government will seek to actively support survey of the commercial sexual exploitation of children by the relevant international organizations, such as UNICEF, the United Nations Trust Fund for Contemporary Forms of Slavery, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the International Organization for Migration through providing financial support or information on the commercial sexual exploitation of children to these organizations.

5. In order to collect from NGOs that are active abroad as much information as possible on the situation and causes (poverty, gender discrimination, organized crimes and armed conflicts, etc.) of the commercial and sexual exploitation of children, the Government endeavours to establish a network with NGOs throughout the whole process of the Second World Congress Against Commercial Sexual Exploitation of Children, including its preparation and follow-up.

6. The Government will help NGOs' activities, such as the organizing of symposia and workshops on the commercial sexual exploitation of children, through various frameworks, such as "grass-root" small grant aid.

## B. Prevention of the commercial sexual exploitation of children

### 1. Education for elementary school children

7. Article 26 of the Constitution stipulates, "All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free." In accordance with the provision, ordinary education is obligatory and free of charge. Foreign residents, who are not under this obligation, are able to study in public elementary and lower secondary schools by the instruction from boards of education if they or their parents wish. Therefore, the government has made basic education obligatory and free of charge regardless of races and nationalities.

### 2. Education on children's rights

8. School education requires appropriate education guidance and school management which pay due consideration to the rights of school children in line with the Convention on the Rights of the Child. In this regard, respect for fundamental human rights, the significance and role of international human rights laws and growth and character-building of children must be taught in social studies in elementary and lower secondary schools and modern society, politics,

economics and general home economics in upper secondary schools. Textbooks on these subjects specifically describe the Convention on the Rights of the Child. The Government will further promote education on fundamental human rights, including the rights of the child.

9. Lectures under the titles "The Convention on the Rights of the Child", "Human rights education" and "Gender equal society" are given during seminars for school teachers. The Government will make further efforts to promote respect for human rights in such ways.

10. The Government has organized seminars on the rights of the child for the staff of child guidance centres and child welfare facilities. The Government will continue to organize such seminars in order to promote respect for the rights of the child.

11. Public prosecutors offices have organized seminars for prosecutors which focus on, among other things, the enactment of the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children, and care for children and women. Public prosecutors offices will promote respect for the rights of the child by organizing such seminars.

12. The police have organized seminars on the rights of the child during general education classes at police schools and training sessions held at their workplaces. The police forces will promote respect for the rights of the child through such training sessions.

### 3. Prevention of the commercial sexual exploitation of children through education, such as sex education

13. The Government will improve the quality of teachers by organizing seminars for them on sex education and thereby improve sex education at school.

14. Schools will provide sex education suited to children's stage of development to deepen their scientific knowledge of sex, help them properly recognize the opposite sex based on the spirit of respect for life, respect for people and gender equality, and enable them to make their own judgement and take appropriate action.

15. Schools will develop children's ability to select information on their own initiative and help children to understand the negative aspects of an information-oriented society, thereby helping deepen children's understanding of the problems relating to the commercial sexual exploitation of children.

16. Schools should provide children with education on the prevention of drug abuse so that they can be strongly aware of the danger of drug abuse and drug related crimes and that they can recognize that drug abuse should not be done and permitted at present and in the future.

17. Schools will teach children the importance of being considerate to other people, help their understanding of the opposite sex, deepen their understanding of the importance of respecting the dignity of other people and the importance of their own and other people's lives, in an effort to develop their morality, ability to make proper judgement and enthusiasm for putting what they learn into practice.

18. The National Action Plan for the United Nations Decade on Human Rights Education, compiled in 1997, calls for the promotion of human rights education on every occasion, such as in school or with people whose occupations are closely related to human rights. The plan urges Japan to intensively tackle problems relating to the rights of the child, as well as those of women, elderly people and foreigners.

19. The Council for Human Rights Promotion in the Ministry of Justice submitted in 1999 a report on "basic matters concerning the comprehensive development of educational and promotional measures to enhance public mutual understanding of the concept of respect for human rights". The report underscored the importance of human rights education and promotion in schools, in society, in households, etc. The Law for Promoting Human Rights Education and Promotion, which calls for measures to promote human rights education and awareness-raising activities, was enacted in November 2000.

### 4. Enlightenment measures

20. When the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children came into force in November 1999, the police launched public relations and awareness-raising activities through various advertising media. They also provided, as one of the public relations and awareness-raising activities, relevant information on the cases they have uncovered of child prostitution and child pornography, with the aim of preventing children from falling victim to such crimes. The police will continue these activities.

21. The human rights organs of the Ministry of Justice have carried out various awareness-raising activities, such as holding lecture meetings and round-table meetings, broadcasting programmes on television and radio and distributing pamphlets and leaflets in order to raise public awareness of the importance of respecting human rights, including the rights of the child. With the aim of eliminating all kinds of discrimination, including discrimination against children, the human rights organs also carry out public awareness campaigns across the country during "Human Rights Week" (4-10 December), under the slogan "Protect the rights of children" as well as on "Civil Liberties Volunteers' Day" (1 June every year), including street campaigns and lectures. The Ministry will continue these activities and contribute to preventing infringement of the rights of the child.

22. The Ministry also has appointed Volunteers for Children's Rights Protection who specifically deal with human rights problems involving children. They provide counselling at children's counselling offices and on hotlines, "Children's Rights Dial 110," in an effort to enhance public concern about the rights of the child.

23. In order to help youths grow soundly, the Government launches, every July, a nationwide campaign entitled, "Month for intensively talking about the problems of juvenile delinquency" and, every November, the "Month for helping youths grow soundly". During these months, the Government carries out intensive public relations and awareness-raising activities, such as the promotion of activities to improve the harmful environment for youths.

24. Upon the enactment of the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children, the Government issued booklets in Japanese

and English, which set out the purpose and details of the law, and distributed them throughout the world through Japan's diplomatic establishments overseas in an effort to notify people all over the world of the spirit of the law. If new legislation regulating the commercial sexual exploitation of children is enacted or the existing law is amended, the Government will notify people all over the world of the details of the legislation through Japan's diplomatic establishments overseas and on the Web site of the Ministry of Foreign Affairs (http://www.mofa.go.jp/).

25. The Government will, in cooperation with experts on problems of children, organize lectures in order to introduce the Second World Congress Against Commercial Sexual Exploitation of Children and other efforts being made by Japan to combat the commercial sexual exploitation of children.

26. The Government will utilize e-mail to invite opinions on the commercial sexual exploitation of children from NGOs and the general public. The Government will also make full use of mailing lists and the Internet to provide information on the situation of the commercial sexual exploitation of children in the world to the general public.

27. The Government will, through the Ministry of Foreign Affairs' official Web site, provide information on the National Action Plan against the Commercial Sexual Exploitation of Children and a summary of discussions at the Second World Congress Against Commercial Sexual Exploitation of Children. The Government will provide updated information on the progress made by Japan in efforts to combat the commercial sexual exploitation of children even after the conference.

28. As part of the follow-up to the first World Congress Against Commercial Sexual Exploitation of Children, the Government, in cooperation with NGOs, produced posters appealing for the elimination of child prostitution and child pornography and distributed them throughout Japan. The Government also distributed the posters to Japan's diplomatic establishments overseas, mainly those in Asia, and put them up in the consular offices in an effort to promote awareness-raising activities. Furthermore, the Government carried the documents adopted at the first World Congress Against Commercial Sexual Exploitation of Children on the Web site of the Ministry of Foreign Affairs to promote public relations on the results and significance of this Congress.

29. As to the Second World Congress Against Commercial Sexual Exploitation of Children, the Government, in cooperation with NGOs, also will promote public relations on the significance and purpose of holding this Congress, both in Japan and abroad, through producing pamphlets, organizing symposiums and other relevant events, and making use of newsletters and public relations media in Japan and abroad.

30. The Government will cooperate with NGOs to promote public relations and awareness-raising activities at each stage of the Second World Congress Against Commercial Sexual Exploitation of Children, from preparation, through the Congress itself to its follow-up, in order to raise further public awareness of the commercial sexual exploitation of children.

31. Japan recognizes that it is important to continue the efforts it has made since the Kyushu-Okinawa Summit to promote dialogue and partnership with NGOs and build up cooperative relations with NGOs that are expected to play a major role in the international community. Based on this recognition, the Government established the NGO Liaison Centre within the Ministry of Foreign Affairs in October 2000. The Government will strengthen its partnership with NGOs which combat the commercial sexual exploitation of children through the activities of the centre.

### 5. Cooperation with news media

32. The Government will encourage news media to actively participate in the Second World Congress Against Commercial Sexual Exploitation of Children from its preparatory stage in order to deepen their understanding of the various problems relating to the commercial sexual exploitation of children.

### 6. Cooperation with relevant industries

**Child prostitution**

33. When the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children came into force in November 1999, the Ministry of Transport (currently the Ministry of Land, Infrastructure and Transport) issued directives to travel industry organizations to inform their member companies of the law and provide them with information on the law. The Ministry also established a liaison council with the travel agencies on awareness-raising activities concerning the law, in order to raise awareness among travel agents of the law. Travel agency associations also organized seminars for chief travel organizers (those who manage and supervise the sale of tours and tickets at branches of travel agents), seminars on the management of travel plans (for those who accompany travellers to ensure proper services are provided to the customers). In these seminars, the industry organizations instructed travel agents not to get involved in organizing prostitution tours and to prevent their customers from getting involved in child prostitution during their tours. Furthermore, the travel agency associations and the International Tourism Promotion Association provided information on the law on their home pages and through their fax services, distributed pamphlets and placed articles about the law in their newsletters in a bid to eliminate prostitution tours. The Ministry of Land, Infrastructure and Transport will make efforts to promote such activities in cooperation with the travel industry associations, the International Tourism Promotion Association and other tourism-related organizations.

**Pornography**

34. The Government will support the efforts being made by Internet service providers (ISP) and other industries to combat the spread of illegal and harmful information on child pornography on the Internet. Specifically, the Government will disseminate model contract clauses embodying guidelines for self-restraint drawn up by the industries, including ISP, and establish rules, which include the responsibility of ISP and other relevant businesses.

35. The Government will consider a desirable system to respond to complaints and consultations on illegal and harmful information on the Internet, such as child pornography, and establish such a system.

36. The movie, video, publication, video game and other industries have made their own efforts to prevent the commercial sexual exploitation of children. The Government will support these efforts made by the relevant industries.

37. The Government is developing and promoting a rating and filtering system on the Internet in order to eliminate illegal and harmful contents, such as child pornography, and share a database on harmful contents with Internet-related industries.

### 7. Measures to address the root causes of commercial sexual exploitation of children in foreign countries (measures to eradicate poverty, etc.)

38. The Government will support the implementation of projects to protect children's health, improve their living environments, provide basic education and prevent child labour by UNICEF, UNIFEM, ILO, IPEC and the United Nations Trust Fund for Human Security through financial contributions, bearing in mind the targets of ensuring children's survival, growth and protection set in the World Declaration on the Survival, Protection and Growth of Children and the Action Plan adopted at the World Summit for Children in 1990. Furthermore, in line with the Dakar Framework for Action adopted at the World Education Forum in 2000. The Government will support the provision of basic education to children through collaboration with donors, international organizations and NGOs within a framework centred on UNESCO.

39. In accordance with Japan's Medium-term Policy on official development assistance (ODA) adopted in 1999, the Government has actively supported developing countries to eliminate poverty and achieve social development as priority areas. Especially, the Government has extended assistance to developing countries to help them overcome population problems and problems relating to AIDS, women and the family by continuing the Women in Development (WID) initiative. Japan has also actively supported developing countries in the field of social development through bilateral assistance. In particular, the Government has extended its assistance mainly through grant aid and technical assistance in the field of medical care, health and education that contributes extensively to the promotion of the health, welfare and education of children. The Government will continue to provide assistance in these fields.

40. As part of Japan's efforts to support NGO activities, the Government has made use of the subsidy system for NGO projects and grant aid for grass-root and other activities to extend financial assistance to NGOs that are carrying out grass-root projects in the medical care, health and education fields aimed at contributing extensively to the promotion of the health, welfare and education of children.

41. In order to respond to those who seek advice and inquire about NGO activities, the Government launched a system of NGO counsellors in fiscal 1999. Japan will continue to make full use of these systems to support Japanese NGOs' activities.

### 8. Government reports to the Committee on the Rights of the Child and response to the Optional Protocols to the Convention on the Rights of the Child

42. The Government will compile an official report on the implementation of the Convention on the Rights of the Child, taking into consideration information and opinions provided by NGOs, and submit it to the Committee on the Rights of the Child. The Government, through such a review process, seeks to protect and promote the rights of the child, including their protection from sexual abuse, and prevent the commercial sexual exploitation of children.

43. Japan participated in the drafting of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict, adopted by the General Assembly at its fifty-fourth session on 25 May 2000. Japan will continue to give careful consideration to the discussions in the United Nations and other relevant forums concerning international instruments on the protection and promotion of the rights of the child.

44. The Government will also give necessary consideration to ratifying both Protocols, from the viewpoint of protecting and promoting the rights of the child.

## C. Law enforcement

### 1. Strengthening the system to punish properly those involved in actions relating to the commercial sexual exploitation of children

45. The Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children stipulates that a person who is involved in child prostitution, who sells child pornographic products or who transports foreign children to another country for the purpose of forcing them into prostitution shall be punished with imprisonment with labour or a fine. Japanese nationals who commit such crimes abroad shall be punished with the same penalty. The Government will ensure appropriate application of these provisions and adequate sentencing.

46. A provision prohibiting child prostitution and child pornography has been added to the Anti-Organized Crime Law and, as a result, punishment, confiscation and forfeiture for crimes involving the commercial sexual exploitation of children has since been strengthened. The Government will ensure appropriate application of these provisions and adequate sentencing.

47. The police have improved and strengthened their investigations to thoroughly crack down on crimes involving child prostitution and child pornography and protect children from such crimes. Prefectural police departments have established a task force, a project team or a similar organization comprising officers belonging to the juvenile, entertainment business, criminal investigation and high-tech crime prevention divisions, such as the Task Force for Preventing Child Pornography Related Crimes. Sectionalism has been eliminated from these organizations by strengthening cooperation between these different divisions. The prefectural police forces will continue to strengthen their investigations and crack down on such crimes.

48. The National Police Agency established the Office for the Protection of Juveniles in the Juvenile Division in April 1999 in order to improve and strengthen its efforts to protect teenagers. The Office has since played a leading role in giving instructions to prefectural police forces across the country on the enforcement of the law concerning punishment of child prostitution and pornography and protection of children.

49. The police have actively invoked the Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children and other legislation to thoroughly crack down on crimes involving child prostitution and child pornography. Based on the recognition that telephone clubs are hotbeds for crimes involving child prostitution, the police will give instructions relating to and crack down on their business activities and consider tightening the regulation of their business in efforts to stamp out crimes involving child prostitution at such clubs. Furthermore, the police will give instructions to and crack down on sex-related businesses, such as massage parlours.

50. Since some child pornography Web sites have been opened secretly using tricky methods, the Government will continue to collect information on such crimes in cooperation with relevant organizations and non-governmental organizations and charge the owners of such sites with display of child pornography and distribution of child pornography, etc.

### 2. International cooperation in investigations and exchange of information

51. In order to effectively crack down on crimes involving the commercial sexual exploitation of children across national boarders, the authorities of the country where such crimes are committed or of which the culprits are nationals must properly indict and punish the culprits. The Government will step up its efforts to promote and strengthen international cooperation for international investigations and extradition of criminals.

52. Under domestic legislation, the Government can provide reciprocal legal assistance in response to requests by a foreign Government for such assistance for international investigations and the extradition of criminals under certain conditions, regardless of whether Japan has concluded a relevant treaty with the country concerned or not. Japan will continue to respond to such requests on the basis of the legislation.

53. The United Nations Convention against Transnational Organized Crime, adopted by the General Assembly on 15 November 2000, is aimed at establishing an international legal framework for promoting cooperation in efforts to prevent and combat transnational organized crime. It provides for a framework for the extradition of criminals and international cooperation in investigations and mutual cooperation between judicial authorities. As Japan signed the convention, on 12 December 2000, the Government will proceed to prepare for its ratification as soon as possible, including examination of necessary domestic legal measures.

54. Furthermore, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (adopted by the United Nations General Assembly at its fifty-fifth session) - along with the above-mentioned convention - is aimed at establishing a

universal effective legal framework for promoting cooperation in preventing and combating trafficking in persons of a transborder nature, including women and children, and for protecting victims of trafficking. The Japanese Government will also proceed to the necessary examination of the Protocol bearing in mind its purpose.

55. The Immigration Bureau of the Ministry of Justice has regularly exchanged information with the police and other investigative authorities on violations of the Immigration Control and Refugee Recognition Act. As soon as it obtains information on persons involved in the commercial sexual exploitation of children, it provides the information to the investigative authorities or jointly takes action on such cases. The bureau will continue its exchange of information and cooperation with the investigative authorities to prosecute violators.

56. The customs administration is authorized to control the cases on such condition that child pornographic products found at customs fall under clause 1-4 (articles that injure public security or morals), article 21 of the Customs Tariff Law. Since 2000, Customs have had to report all cases of child pornographic products found at customs to the police, whether or not they come under the above-mentioned clause. It is expected that this procedure will help strengthen control over both imported and exported child pornography.

57. It is important for the police to strengthen cooperation with foreign police authorities in investigations into child prostitution and other crimes committed abroad. Therefore, the police will dispatch officers abroad whenever necessary to inform foreign police authorities of the provisions of the law concerning punishment of child prostitution and pornography and protection of children. The police are also building up a system under which they can promptly obtain specific information from foreign police authorities and the International Criminal Police Organization. The police will continue efforts to strengthen cooperation with overseas police authorities.

58. The law enforcement authorities of Japan have also been cooperating with foreign law enforcement authorities by asking them through diplomatic channels for mutual cooperation in bringing criminal charges against violators. We will continue to actively investigate crimes such as child prostitution committed abroad by Japanese nationals.

### 3. Helping developing countries to strengthen their law enforcement authorities

59. The Government will extend financial support to the United Nations Crime Prevention Centre for technical cooperation projects with the aim of helping the Centre to crack down on crimes, bearing in mind General Assembly resolution 55/25 and article 30 of the United Nations Convention against Transnational Organized Crime (implementation of the convention through economic development and technological assistance), inter alia.

60. The Government will seek to cooperate with developing countries in Asia to strengthen their criminal and judicial systems and immigration control, for example by providing training sessions organized by the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) to government officials in Asian countries.

61. Japan has regularly held various seminars and symposiums, such as the Seminar on Immigration Control (held annually since 1987), the Seminar on Document Examination (held annually since 1995), the Seminar on Prevention of Forgery and Falsification of Passports (held annually from 1997 to 1999) and the Seminar on Data Processing System Development for Immigration Control. Through these seminars and symposia, Japan will step up efforts to help developing countries to strengthen their enforcement of laws for the prevention of crimes. (In addition to the above-mentioned seminars and symposia, Japan hosted the Asia-Pacific Symposium on Trafficking in Persons and the Asia-Pacific Law Enforcement Conference against Transnational Organized Crime in January 2001 with the participation of officials of the law-enforcement authorities mainly from the countries in the Asia-Pacific region.)

62. Japan is fully aware of the necessity of implementing measures in cooperation between the authorities concerned and with ordinary citizens, including NGOs, to care for child victims, and of promoting cooperation with these groups.

## D. Rehabilitation and reintegration

### 1. Consideration for child victims in the judicial procedure

63. The Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protection of Children requires officials engaged in investigations and trials of violations of the law to take measures to pay close attention to the rights and characteristics of child victims. The Government will ensure appropriate application of this provision.

64. In order to ease witnesses' mental and psychological burden in providing testimony in court, a law allowing witnesses to be shielded by a screen or to provide testimony in video links has been introduced. The Government will ensure appropriate application of the law.

65. The police will take the following measures to deal with victims of child prostitution, to give consideration to children's characteristics and to try to ease the mental burden of child victims who suffer mental anguish by taking into account the nature of the crime.

- Female officers have been appointed to deal specifically with victims of child prostitution;

- The police consult experts over the mental and physical condition of child victims whenever necessary;

- Female officers should be present when child victims are questioned, taking into consideration the nature of the crime and the victims' mental condition;

- Prior to or during questioning, juvenile consultants and guidance officials who have expertise on the mental, physiological and other conditions of children or can deal skilfully with children should provide counselling to child victims;

- Care is taken not to question the victims for a long time or frequently;

- Depending on the situation, police officials will visit the home of the victims or other places to question child victims.

66. The police are training officers to make sure that they will pay close attention to the conditions of child victims in questioning them. The police will continue such training.

### 2. Counselling for child victims

67. Child guidance centres provide mental care - such as counselling - for child victims who have suffered mental anguish, in response to consultations and reports from the victims themselves, their parents and relevant organizations. The Government will continue efforts to improve counselling services at child guidance centres.

### 3. Relief and protection of child victims

68. Child guidance centres will promote exchange of information with the police and other relevant organizations to promptly provide psychological care for child victims.

69. Child guidance centres will admit child victims into child welfare facilities if necessary, taking into consideration their mental and physical condition, family situation and living environment, and provide them with counselling, in efforts to protect child victims properly.

70. The Government will compile a manual on how to deal with child victims, so that child guidance centres will protect them properly. In accordance with instructions in the manual, child guidance centres will continue efforts to protect child victims properly.

71. The human rights organs of the Ministry of Justice have established counselling offices on children's rights and "Dial 110" on children's rights at Legal Affairs Bureaux and District Legal Affairs Bureaux, so that children can easily consult counsellors without hesitation. The organs have appointed Volunteers for Children's Rights Protection who deal specially with problems involving children's rights. They provide counselling services concerning children's rights. The organs will continue to improve the system of counselling on the rights of the child.

72. The organs notify relevant organizations if they find infringements of the rights of the child and deem that relief measures for the victims should be taken through judicial and administrative procedures. They also introduce the Legal Aid Association to the victims, and provide legal counselling and other appropriate relief measures that they deem necessary. The organs will continue these efforts.

73. The organs have investigated and dealt with specific cases of human rights infringements and have been engaged in activities aimed at raising public awareness of respect for human rights in order to protect and promote not only the rights of the child but also all human rights. In order to develop these measures further, the Council for Human Rights Promotion, which has been established in the Ministry of Justice, is discussing the basic policy of these measures. The council submitted an interim report on relief measures for victims of human rights infringements

in November 2000. The report underscores the need to improve and develop the functions of organizations that extend relief to victims of human rights infringements, referring to the Paris principles.

74. It is necessary for the Organs to cooperate with child guidance centres in protecting victims of child abuse. Therefore, Legal Affairs Bureaux and District Legal Affairs Bureaux in the Ministry of Justice actively participate in the network of relevant organizations - with child guidance centres as its core - and cooperate with these organizations and relevant NGOs to protect the victims of child abuse

75. The police, in cooperation with child guidance centres and other relevant organizations, have been providing assistance to child victims whenever necessary, such as providing counselling to child victims and advice and instructions to their parents. The police will continue to implement appropriate measures to that end.

76. Under the Child Abuse Prevention Law that came into force in November 2000, the Government is making efforts to protect child victims, including those who suffer sexual abuse, by finding and treating the victims as soon as possible. It will step up efforts to that end in cooperation with relevant organizations and NGOs.

77. Japan will consider early ratification of the Convention concerning the Prohibition and Immediate Action for the Worst Forms of Child Labour (ILO Convention No. 182).

### 4. Protection of foreign child victims

78. The Government will take appropriate measures to protect foreign child victims in Japan, regardless of their nationality, when it deems that they need to be protected under the Child Welfare Law.

79. The Government will support projects aimed at rehabilitating child victims of commercial sexual exploitation through financial contributions to UNICEF.

80. The Government will utilize grass-root assistance and the subsidy system for NGO projects to support NGOs that provide assistance for occupational training of child victims overseas and welfare facilities for such children.

81. Japan is considering contributing 200,000 dollars from the Trust Fund for Human Security to the Centre for International Crime Prevention (CICP) Global Programme against Trafficking in Human Beings in the Philippines. It will continue actively to support CICP programmes aimed at supporting child victims of commercial sexual exploitation.

## E. Child trafficking

82. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime - along with the above-mentioned convention - is aimed at establishing a universal and effective legal framework for promoting cooperation in preventing and combating trafficking in

persons, including women and children of a transborder nature and for protecting victims of trafficking. In particular, it obliges States parties to criminalize the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation, including prostitution or other forms of sexual exploitation, forced labour or services. The scope of criminalization is wider than that for adults and accordingly the Protocol provides for greater protection of children.

83. Japan signed the Convention on 12 December 2000 and will proceed to prepare for its ratification as soon as possible, including through the examination of necessary domestic legal measures. The Government will also undertake the necessary examination of the Protocol, bearing in mind its purpose, with respect to such matters as its content and consistency with domestic legislation. As to specific domestic measures that have relevance to the content of the Protocol, see the description of individual measures.

### F. Child participation

84. Young people will attend the Second World Congress Against Commercial Sexual Exploitation of Children, to be held in December 2001. The Government will promote the participation of children in efforts to prevent and combat the commercial sexual exploitation of children by giving youths opportunities to express their opinions during discussions at the Congress and related events as far as possible, while cooperating with NGOs.

## Russian Federation

[Original: Russian]
[25 January 2001]

1. Russian legislation contains a whole range of measures dealing with these issues. There is a chapter in the Russian Criminal Code, "Crimes against the Family and Minors", making offences against minors criminal acts. Under article 152, paragraph 1, of the Code, trade in children (buying and selling, i.e. transfer of a minor by its parents or other persons looking after it to a third party for monetary reward) and other transactions involving the transfer and taking possession of a minor attract punishment ranging from compulsory labour to up to five years' deprivation of liberty.

2. The same acts, committed repeatedly; against two or more minors; by a group of persons by prior collusion, or by an organized group; by an individual taking advantage of his or her official position; when the minor is illegally transported abroad or returned from abroad; committed for the purpose of enticing the minor into crime or other antisocial activities; or committed for the purpose of removing from the minor organs or tissue for transplanting, are punishable by between 3 and 10 years' deprivation of liberty (art. 152, para. 2). If the same acts inadvertently result in the death of the minor or other grave consequences, they are punishable by between 5 and 15 years' deprivation of liberty (art. 152, para. 3).

3. On 12 December 2000 the Russian Federation signed the United Nations Convention against Transnational Organized Crime and the supplementary Protocol to Prevent, Suppress and

Punish Trafficking in Persons, Especially Women and Children. The signature and eventual ratification of these agreements will make for further improvements in Russian legislation protecting the rights of minors.

4. Article 151 of the Criminal Code makes the enticement of children into prostitution a crime. Those guilty of the offence specified in paragraph 1 of the article, i.e. enticement of a minor into the systematic consumption of alcoholic beverages or narcotic substances or into prostitution, vagrancy or begging, are liable to a range of penalties extending from compulsory labour to up to four years' deprivation of liberty.

5. The same act committed by a parent, teacher or other person legally responsible for the child's upbringing is punishable by up to three years' limitation of freedom, four to six months' rigorous imprisonment, or up to five years' deprivation of liberty, which may be accompanied by deprivation of the right to hold particular jobs or engage in particular activities for up to three years (art. 151, para. 2)

6. When committed repeatedly or accompanied by the threat or use of force, the same act is punishable by up to six years' deprivation of liberty (art. 152, para. 1). The Ministry of Justice has just completed a bill to amend the Criminal Code of the Russian Federation and the Code of Criminal Procedure of the RSFSR. Under the bill, the Criminal Code will be amended to make offences connected with the slave trade, the enticement of minors into prostitution and the illegal distribution of pornographic material to minors criminal acts. As the penalties for crimes against minors have increased, larger numbers of such crimes have begun to come to light. The organs of law enforcement have discovered instances of organized child prostitution and operations by groups sexually exploiting children, including the production and distribution of pornography.

7. A total of 194 criminal investigations were launched in Russia in 1999 for sexual relations and other acts of a sexual nature with persons under the age of 16 (art. 134 of the Criminal Code); 884 for acts of perversion (art. 135); 853 for enticement of minors into antisocial activities (art. 151), 28 for trade in minors (art. 152); 41 for enticement into prostitution (art. 240); and 295 for illegal distribution of pornographic material and objects (art. 242). The international computer network - the Internet - has recently started to be used for criminal purposes. One factor in the growth of such offences is the absence of any definition of "child prostitution" or "child pornography" in Russian legislation: accordingly, the Office of the Procurator-General is currently working on a proposal to amend the Criminal Code so as to help deal with the problem and satisfy the requirements of the Convention on the Rights of the Child and the Optional Protocol thereto on the Sale of Children, Child Prostitution and Child Pornography.

8. Special units to combat vice have been set up since 1996 within the interior departments of a number of Russian regions by decision of the local administrations. Such units are currently in operation in St Petersburg, Omsk and Chita and have been gathering practical experience with the application of current legislation to prevent and punish vice

9. There are 334 social assistance centres for families and children at work trying to avert difficult living situations. They also offer comprehensive assistance to families and family members who have suffered violence and provide psychological rehabilitation.

10. The construction of a system of special-purpose institutions for minors requiring social rehabilitation has been under way in the Russian Federation since 1992. More than 700 institutions have been created over this period: shelters for children and adolescents, rehabilitation centres for minors, and assistance centres for children left without parental care. They operate on the following principles:

(i) Children in straitened circumstances are admitted round-the-clock and provided with assistance free of charge;

(ii) Any child is entitled to seek help on its own, without the intercession of an adult;

(iii) Every family is entitled to skilled advice and support.

Altogether some 249,000 children, victims of violence and others, were given skilled, timely aid over the course of 1999. Every child, regardless of its parents' social status, was given the opportunity to deal with its problem with the help of the experts at the institutions.

11. The practical educational psychology service, which operates in general schools and other institutions within the educational system, has an important role to play in preventing violence against children. Psycho-pedagogical and medical-social centres for children are becoming increasingly prominent in the educational system, affording highly skilled, multidisciplinary assistance to children, parents, and practical workers at educational institutions in matters such as preventing child abandonment ("social orphanhood") and juvenile delinquency, and helping to settle conflicts in the school and family environment. On 1 January 2000 the Russian educational system incorporated over 450 rehabilitation centres of various kinds. Moscow, for example, has a special psychological, medical and social facility, the Ozone Centre, looking after children who have suffered ill-treatment and violence.

12. The educational authorities and teaching institutions also help, within their terms of reference, to design and carry out measures to identify families and children at risk, parents who abuse their children and parents who fail in their duty of care.

13. Article 56 of the Family Code states that a child is entitled to protection of its rights and legitimate interests, including protection from abuse by its parents (or persons in loco parentis). Officials and other citizens who hear word of a threat to a child's life or health or violations of its rights and legitimate interests are required to notify the care authorities responsible for the district where the child actually lives. On being so notified, the care authorities are required to take such steps as are necessary to protect the child's rights and legitimate interests.

14. Under Russian legislation, the care authorities can petition the courts to have parents' parental rights set aside or restricted. In the event of an immediate threat to a child's life or health they are entitled by law to take the child away from its parents or other carers. If they do so they must immediately notify the Procurator's Office and arrange temporary accommodation for the child: they then have seven days' grace to petition the courts for a waiver or restriction of parental rights (art. 77 of the Family Code).

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